

Wyoming State
 **Board of Nursing**
Board Meeting Minutes

PUBLIC SESSION: The Wyoming State Board of Nursing (WYBON held its regularly scheduled meeting on July 11, 12, 13, 14 & 15, 2005, at the Financial Center, AARP Conference Room, 2020 Carey Avenue, Mezzanine, Cheyenne, Wyoming.

**Voting numbers on all decisions and motions are as follows:
IN FAVOR – OPPOSED – ABSTAINING – ABSENT**

CALL TO ORDER: The meeting of the Wyoming State Board of Nursing was called to order by President Ouzts at 2:00 p.m., Monday, July 11, 2005.

ROLL CALL: President Ouzts took the roll call.

Board Members Present:

Karen Ouzts, PhD, RN, President, Laramie
Parry Davison, CRNA, MS, Vice President, Kemmerer
Shirley Harris, RN, MSN, MBA, Secretary, Cheyenne
Bernadine Davis, LPN, Member, Douglas
Kim Williamson, LPN, Member, Torrington
Baerbel Merrill, MS, BSN, RNC, Member, Gillette

Board Members Absent:

None

Staff Present:

Cheryl Koski, MN, RN, Executive Director
Mary Calkins, PhD, RN, Assistant Executive Director/Practice & Education Consultant
Kathy Marquis, JD, MSN, FNP-C, Compliance Consultant
Deebs Sullivan, Fiscal and Human Resource Officer (7/11/05, 2:00-2:30 p.m.; 7/14/05, 9:15-10:00 a.m.; 3:00-5:00 p.m.;
JoAnn Reid, Executive Assistant
Trish Newberry, Examination Coordinator (7/11/05, 2:00-2:10 p.m.)
LaVelle Ojeda, Temporary Licensing Coordinator (7/11/05, 2:00-2:10 p.m.)
Lindsay Yount, Intern (7/11/05, 2:00-2:10 p.m.)
Ken Nelson, Senior Assistant Attorney General (7/12/05, 10:00-12:00 p.m.; 1:15-2:00 p.m.; 7/13/05, 9:30 a.m.-12:15 p.m.; 2:00-2:45 p.m.)
Angela Dougherty, Senior Assistant Attorney General (7/12/05, 11:00 a.m.-12:00 p.m.; 1:15-2:00 p.m.; 7/13/05, 9:30 a.m.-12:15 p.m.)

Visitors Present:

Judith Redd-Knight, MS, RN, FNP-C, Expert Witness (7/12/05, 1:30-2:30 p.m.)
Rebecca Doby, Court Reporter (7/12/05, 1:30 -2:30 p.m.; 7/13/05 9:30-12:30 p.m.)
Marcia Dale, EdD, RN, FAAN, Expert Witness (7/13/05, 9:30-11:00)
Deb Baumer, JD, Office of Administrative Hearings (7/12/05, 1:30-2:30 p.m.; 7/13/05, 9:30 a.m.-12:30 p.m.)

Ben Brandes, Attorney, Attorney General's Office (7/13/05, 2:00-2:45 p.m.; 7/14/05, 1:00-2:30 p.m.)
George Vandell, NCAC II, CAP, Executive Director, Wyoming Professional Assistance Program (7/13/05, 9:00-9:30 a.m.)
Dr. Berton Toews, Clinical Director, Wyoming Professional Assistance Program (7/13/05, 9:00-9:30 a.m.)
Jackson Waters, RN, Board Representative, Wyoming Professional Assistance Program (7/15/05, 11:00 a.m.-12:00 p.m.)
Bridget Nettleton, PhD, RN, Dean, Excelsior College (7/14/05, 12:30-2:30 p.m.)
Sharon Boni, DNSc, RN, Associate Dean, Excelsior College (7/14/05, 12:30-2:30 p.m.)
Michelle Bush, Dray, Thomson & Dyekman (7/14/05, 12:30-2:30 p.m.)
Michelle Crist, RN, Network Coordinator, APS Healthcare (7/13/05, 1:00-1:45 p.m.)
Dani Vogeles, RN, Coordinator, APS Healthcare (7/13/05, 1:00-1:45 p.m.)
Marlene Ethier, Member, Wyoming Healthcare Commission (7/14/05, 10:00-11:30 a.m.)
Veronica Taylor, Vice President, Wyoming Nurses Association (7/15/05, 1:00-2:00 p.m.)
Judy Turner, Board Site Visit Chair, Central Wyoming College, via teleconference (7/15/05, 9:05-11:00 a.m.)

DECLARATION OF QUORUM: President Ouzts declared a quorum present.

APPROVAL OF MEETING MINUTES

Minutes of the January 10-12, 2005 Board Meeting, & May 27, 2005 Teleconference:

The Board agreed to approve the following minutes:

***Motion:** It was moved and seconded, July 11, 2005, to approve, with recommended changes, the minutes for the January 10-12 Board meeting, and the Board Teleconference call on May 27, 2005.*

ADMINISTRATIVE ISSUES

Attorney General's Office

Ken Nelson, Senior Assistant Attorney General and attorney for the Board, was present to discuss the Open Meetings Act of 2005. He explained that whenever Board Members are gathered together, regardless of location, there is a quorum and discretion needs to be used so as not to have an unintentional meeting by discussing Board business outside of public session.

All actions should be taken during open meeting and notice given to all Board Members, news media, etc.,

Educational Programs

Summary of Educational Programs:

Dr. Calkins presented the "Summary of the Educational Programs" report with the updates from the January, 2005 meeting.

The Education Committee gave their recommendations to the Board, and the following motions were approved:

Northwest College:

Motion: It was moved and seconded, July 11, 2005, to accept the Education Committee's recommendation to accept the following:
NWC Annual Report.

All faculty need to use the current Faculty Qualification Sheet (FQS). Faith Jones answered that she does not meet the BON educational requirements.

The Board noticed a decline in the NCLEX-RN pass rate from 83.8% to 79%. We understand this may be attributed to a change in the NCLEX-RN test plan.

The vote on the above motion was 6-0-0-0.

Motion: It was moved and seconded, July 11, 2005 to accept the Education Committee's recommendation to accept the following:

NWC letter dated July 7, 2005 concerning the following:

1. Increasing freshman students by 6 for a total of 30
2. Notification of the resignation of Carole Genz-Mould
3. LaDawn Davis will teach full-time
4. Krista Blough will teach clinical part-time
5. Randy Graham has applied to be the LPN coordinator to begin LPN programs through the Wyoming Community College Commission. The projected start of program is January 2007.

The vote on the above motion was 6-0-0-0.

University of Wyoming:

Motion: It was moved and seconded, July 11, 2005, to accept the Education Committee's recommendation to accept the following:

Faculty Qualification Sheet for Linda Johnson, MS, RN

Letter from Dr. Pamela Clarke dated January 27, 2005

The vote on the above was 5-0-1-0. President Ouzts abstained from voting.

Central Wyoming College:

Motion: It was moved and seconded, July 11, 2005, to accept the Education Committee's recommendation to accept the following:

- The Site Visit Report
- Annual Report

The Board wishes to commend Ms. Billie Dutcher, MS, RN and faculty on the increased retention rate and the 100% NCLEX-RN pass rate.

The vote on the above motion was 5-0-0-1. Secretary Harris was absent.

Casper College:

The Board reviewed the letter from Dr. Calkins to Ms. Jolene Knaus, MS, RN dated January 24, 2005.

Laramie County Community College:

Motion: It was moved and seconded, July 11, 2005, to accept the Education Committee's recommendation to accept the following:

- Faculty Qualification sheet for Jennifer Fryman, BSN, RN

- *Annual Report*

The Board commends Ms. Carol Kabeiseman, MS, RN on having 8 of 11 faculty with MSN. There is a discrepancy on page 2 of the Annual Report Form. Ms. Peg Bratton has a BSN.

The Board noticed a retention rate of 61%.

Finally, the Board commends Ms. Carol Kabeiseman, MS, RN on the improvements in the nursing education program in a short period of time.

The vote on the above motion was 6-0-0-0.

Northern Wyoming Community College District:

Motion: It was moved and seconded, July 11, 2005, to accept the Education Committee's recommendation to accept the following:

- *Annual Report*
- *Faculty Qualification Sheet for Rogene Long, BSN*
- *Letter dated April 14, 2005 for Gillette Campus Admissions*
- *Letter dated February 8, 2005 concerning position changes on Sheridan Campus*

The Board noticed a decline of the NCLEX-RN pass rate from 93.5% to 81.25%. We understand this may be attributed to the NCLEX-RN test plan change.

The Board commends you on the 98% NCLEX-PN pass rate.

The vote on the above motion was 5-0-1-0. Member Merrill abstained from voting.

Weber State:

Motion: It was moved and seconded, July 11, 2005, to accept the Education Committee's recommendation to accept the following:

- *Clinical nursing course: Nursing 2061 – Psychiatric/Mental Health Nursing Across the Lifespan at the WY State Hospital.*

The Board wishes to thank Dr. Debra Huber for all her work with the Board and we look forward to working with the future Dean of the Nursing Program at Weber State..

The vote on the above motion was 6-0-0-0.

Excelsior College:

Senior Assistant Attorney General and Board Attorney Ken Nelson and Attorney Ben Brandes discussed the Attorney General's Opinion regarding Out-of-State Nursing Education programs dated November 18, 2004.

The Board voiced their concerns about the lack of a clinical component in the curriculum.

Senior Assistant Attorney General and Board Attorney Ken Nelson advised that the Board has the authority to not accept this school and that applicants are required to follow Administrative Rules and Regulations regarding education.

Thursday, July 14, 2005, 1:00 p.m.:

Bridget Nettleton, PhD, RN, Dean and Sharon Boni, DNSc, RN, Associate Dean gave a presentation regarding Excelsior College and it's curriculum.

The Board reviewed various letters between Kathy Greene, BSN, RN, Vice President Patient Services, United Medical Center and Excelsior College.

Miscellaneous Information - FYI:

Ms. Koski discussed the decline in test scores possibly due to the 2005 NCLEX-PN Test Plan. She also stated that due to the timing of the release of the new Test Plan, statistics will be based half on the old test plans and half on the new.

The Board reviewed various letters to refresher course programs written by Dr. Calkins on behalf of the Education Committee.

NATIONAL COUNCIL STATE BOARDS OF NURSING

Reports:

Ms. Marquis reported on the NCSBN APN's Meeting.

Ms. Marquis and Senior Assistant Attorney General and Board Attorney Angela Dougherty reported on the Board Investigator & Attorney Workshop held May 22-25, 2005. Ms. Dougherty gave thanks to the Board for allowing her to attend.

Mid-Year Meeting State Update Reports:

Ms. Koski and Dr. Ouzts discussed the 2005 Mid-Year meeting. Ms. Koski discussed the EO Network Session State Update Report which includes general goals and accomplishments of the Wyoming State Board of Nursing. Dr. Ouzts reported on the President's Meeting.

Annual Meeting:

The NCSBN Annual Meeting will be held August 2-5, 2005. In order to reduce the financial burden for Member boards, NCSBN will provide funding for two (2) representatives per Board of Nursing including transportation, lodging, registration waivers, and reasonable expenses to attend the meeting. Ms. Koski stated the Board will cover costs for two additional delegates to attend.

The Board reviewed the Delegate Designation Form as well as the Agenda and Slate of Candidates. Dr. Calkins is running for the Nomination Committee.

Mentor – Montana Executive Director:

Ms. Koski will mentor Sandra Dickinson, Executive Director, Montana State Board of Nursing. Her primary responsibilities will be to provide support and direct Ms. Dickinson to resources within NCSBN, initiate contact on a regular basis, act as a "sounding board" for ideas as well as challenges encountered and provide background or historical information concerning issues that may arise.

Delegation Documents:

Ms. Koski discussed the role of the PR&E Delegation Subcommittee. The Board reviewed a draft of Model Language Delegation, flow charts and a Decision Tree.

Miscellaneous NCSBN Information:

Ms. Koski included additional NCSBN information for the Board to review which included Policy Perspectives and the 2005 NCSBN Governance Survey.

LEGISLATIVE ISSUES

Licensed Practical Nursing Program Funding:

Ms. Koski discussed the general fund appropriation of \$250,000.00 to be used to fund licensed practical nursing outreach program coordinators. Funding for a coordinator will not be released to a college until the college has signed an agreement with a community outside the college district to offer a licensed practical nursing program in the community.

WYSART Conference:

The Board reviewed the Interoffice Memorandum from Dr. Calkins concerning the Wyoming Sexual Assault Response Taskforce (WYSART) Meeting, held June 1-4, 2005 in San Francisco, California.

WYSART Committee Report:

The Board reviewed the Interoffice Memorandum from Dr. Calkins concerning the WYSART Committee Meeting, June 23-24, 2005 in Thermopolis, Wyoming.

Milbank Memorial Fund Meeting:

Ms. Koski reported on the Reforming States Group meeting in Calgary, Alberta on June 29-30, 2005. She states that nurses in Canada are highly respected. A high level of state funding is put into the nursing program and education is the key.

Wyoming Healthcare Commission Proposals:

President Ouzts discussed the Wyoming Healthcare Commission Proposals. She would like to send recommendations from the Wyoming State Board of Nursing to the Governor.

Healthcare Commission Recommendations to Governor Freudenthal:

Marlene Ethier reviewed with the Board the Healthcare Commission recommendations to Governor Freudenthal.

Motion: *It was moved and seconded, July 14, 2005, to recommend to the Healthcare Commission to withdraw the recommendation of seven (7) years to complete the MSN and stay with the current five (5) year plan.*

The vote on the above motion was 6-0-0-0.

Motion: *It was moved and seconded, July 14, 2005, to develop creative methods to assist faculty with workload to allow for completion of degree (MSN). Example: ½ Faculty and ½ student. Assist with daily responsibilities and requirements to complete degree.*

The vote on the above motion was 6-0-0-0.

Center for Nursing – Alabama Plan:

The Board reviewed the Operational Plan approved by the Alabama Board of Nursing for the Center for Nursing, a center devoted to Nursing that will collect, analyze and disseminate data related to the nursing workforce, funded straight through the Alabama Board of Nursing.

Charting Nursing's Future:

The Board reviewed an article entitled "Charting Nursing's Future", provided by Ms. Koski.

CERTIFIED NURSING ASSISTANTS

NATCEP Active Programs:

Dr. Calkins reported on the NATCEP Active Training programs as of April 2005. She noted that 8 out of the 39 programs in Wyoming had sub-standard survey results through the Office of Health Facilities, six of which were given waivers to offer the NATCEP Program. The Board requested a definition of a waiver. Dr. Calkins reported that a waiver must be requested from the survey agent and, if approved, the course can be taught by an outside instructor (someone not employed by the facility).

Ms. Koski reviewed the 2004 National Nurse Aide Assessment Program Technical Report (NNAAP) from Promissor with the Board Members. Dr. Calkins noted that the numbers provided for passing rates were incorrect and she has not yet heard from Promissor in regards to correction of the numbers.

Board of Nursing Staff/Promissor Meeting:

Ms. Koski reported on the meeting between BON staff, Tim Lawler from Promissor and Chris Porter from American Red Cross (ARC). She stated it was very informative and felt that several issues had been resolved or were in the process of being resolved. The Board staff has been given access to the ICE system, which is the database used by ARC. This will assist the Board staff in researching the status of examination candidates.

Nursing Assistant Candidate Handbook:

The Board reviewed the revised Nursing Assistant Candidate Handbook effective June 2005.

NNAAP Skills Examination:

The Board briefly reviewed the revisions to the NNAAP Skills Examination effective June 2005.

CMS Nurse Aide Registry:

The Board reviewed the CMS Nurse Aide Registry Requirements Survey. Ms. Marquis discussed the dangers of reporting someone to the Registry that really does not need to be reported. Once a person is on the Registry, they can not be removed. She feels State and Federal are working well together and are on the same wave length concerning reporting of CNA's with findings of abuse, neglect, or misappropriation of property.

Ms. Koski informed the Board of the completion of the Office of Inspector General (OIG) Nurse Aide Registry Registration Fees Survey.

FBI Criminal Background Check Audit:

Ms. Koski reported that the FBI Criminal Background Check Audit, performed July 13, 2005, went very well. The Board staff is effectively handling the results of background checks received from the Division of Criminal Investigation (DCI), in matters of retention, destruction and confidentiality.

Substandard Surveys:

The Board reviewed several letters from the Wyoming Department of Health and Dr. Calkins to Long Term Care facilities with substandard surveys.

Expanded Role of the Certified Nursing Assistant:

Veronica Taylor, Vice President for the Wyoming Nurses Association, spoke to the Board in regards to Medication Aides. She feels that nurses need to be proactive and get involved with this legislation so as to be prepared if passed. Long Term care has already begun lobbying. The Board expressed concerns as to the CNA's even wanting additional duties and felt that a survey of CNA's, LPN's and RN's would be productive in determining their views of adding to the workload of the CNA and the supervisory responsibilities of the RN.

WYOMING PROFESSIONAL ASSISTANCE PROGRAM (WPAP)**Quarterly Report to the Board:**

George Vandel and Dr. Berton Toews came before the Board to give the WPAP first quarter report. Mr. Vandel updated everyone on the status of various nurses on monitoring agreements. The Annual Report was also reviewed. Dr. Calkins voiced concerns that individuals in WPAP are still being allowed to administer medications. Mr. Vandel stated it is the individual's responsibility to notify the employer of conditional license. Dr. Calkins suggested a box on the monitoring agreement to be checked by the employer that they are aware of WPAP. Mr. Vandel also stated Ms. Marquis can send copies of stipulated agreements or Board order so that he can contact the employer to ensure they have this information on file.

Report by Jack Waters, RN:

Jack Waters, RN, reported to the Board on different issues before the WPAP including taking on the State Bar as well as the State Board of Respiratory Care formulating a contract. He and the Board also discussed the possibility of a graduated conditional license allowing individuals to be slowly reintroduced to passing of medications.

Motion: *It was moved and seconded, July 15, 2005, to reappoint Jack Waters, RN to the WPAP as the BON representative.*

The vote on the above motion was 5-0-0-1. Member Harris was absent.

The Board reviewed the letter to Governor Freudenthal via A & I Procurement dated June 16, 2005 as well as the draft Contract with WPAP dated July 5, 2005.

APS HEALTHCARE

Michelle Crist, RN, Network Coordinator and Dani Vogele, RN, Coordinator of APS Healthcare, hosted an overview of the Disease Management Program and how it benefits individuals with chronic illnesses. Individual must have diagnosis of depression and be Medicaid eligible in order to enroll. The theory is to change the behaviors of the chronically ill resulting in healthier lifestyles, improved quality of life and decreased healthcare expenditures. Health Coaches will contact clients regularly to talk about their health and their feelings and to assess social needs. Dr. Calkins inquired if the Health Coaches were licensed in Wyoming. Ms. Crist said she would need to check into that and report back to her.

BUDGET

Ms. Sullivan and Ms. Koski reviewed all budget items with the Board, including the Administrative Budget Report ending June 30, 2005 and the Nurse Aide Budget Report ending June 30, 2005. Ms. Sullivan reported that the Nurse Aide Budget has been balanced; however, the Administrative Budget has an error as of January 2005 of \$2501.76 in our favor. She has gone through ledgers and reports and is unable to locate the error. She is unable to move forward until this budget is balanced. Ms. Koski stated that balancing errors may have occurred due to the absence of the Fiscal Officer due to family illness, the workload of renewals and several different people inputting deposit and payment information.

Federal Travel Rates:

Ms. Koski informed the Board of travel rate increases effective April 1, 2005 of \$60.00 per night for lodging, \$31.00 per day for meals and \$0.405 for mileage.

Renewals:

Ms. Koski reported on the renewal numbers and stated this is the best renewal we have ever had. There were 9,700 licensees that renewed and there are currently 11,021 licensees. These figures include CNA, LPN, RN and APRN. Dr. Calkins presented a chart showing the number of renewal applications that were returned to the applicant and the reasons why. She believes the change in statute will help decrease returns on APRN renewals in the future. It is still a goal of the BON to have on-line renewals by the next renewal period in 2006.

Katchemak Data Systems:

The Board reviewed the Request for Bid Waiver dated June 28, 2005, the Approval of Bid Waiver dated June 29, 2005 and the Draft Contract between WBON and Katchemak Data Systems, Inc., allowing us to enter into a second agreement with Katchemak Data Systems and Web Technology through December 31, 2005. Ms. Koski explained that it would not be cost effective to go with another programmer at this point. Erin Peterson is to finish the following components of the database: licensing; web verification; reports and discipline. Ms. Koski will also meet with A & I to discuss whether they can maintain the database or if we will need to continue to contract with Katchemak.

The Board reviewed the B-11 motions from the May 26, 2005 teleconference meeting for the Katchemak and WPAP contracts.

Office Move:

The Board reviewed the WBON current lease agreement as well as the Letter of Intent for office space located at 3001 E. Pershing Blvd., formerly known as the Trilegiant Building. The Board toured the potential office space with Ms. Koski and agreed that it would serve the needs of the staff in current and future expansion. Slight remodel was discussed in removing computer stations, leaving wiring intact and new carpet throughout. Ms. Koski reported the Letter of Intent had been delivered to the owners but the BON has not yet received a reply.

MOU – Department of Health, Bioterrorism Program:

The Board reviewed the contract between the Wyoming Department of Health, Public Health Preparedness and Terrorism Program and the Wyoming State Board of Nursing, good through August 30, 2005 with payment of \$22,000. An amendment to the MOU will be initiated for the next year based on Federal Year.

Expert Witness Contracts:

The Board reviewed contracts between Expert Witness' Janice Beekan, PhD, RN, Marcia Dale, EdD, RN FAAN, and Judith Redd Knight, MS, RN FNP-C, and the Wyoming State Board of Nursing beginning March 1, 2005 and running through June 30, 2006.

Biennial Budget:

Ms. Sullivan and Ms. Koski informed the Board of the need for a new server as the current one is almost full. Ms. Sullivan has been working with A & I regarding costs and possible sequel server. Eric Wilmsen from A & I said we do not need a sequel server unless we have a sequel database. Prefers Windows to Novell as there are fewer password issues, more security and it is a long term goal for the State to go to Windows. There would be a one time fee of \$465.06 for Windows and an additional \$18.64 per user per month.

Motion: *It was moved and seconded, July 14, 2005, to allow Ms. Koski to B-11 or purchase a server as soon as possible.*

The vote on the above motion was 6-0-0-0.

New Positions:

Ms. Koski expressed the need for an additional administrative position due to the increased overall workload. She would like this person to be computer knowledgeable, familiar with legal documents in order to assist Ms. Marquis in compliance as well as assisting in licensing and background checks when needed.

Ms. Koski also presented the possibility of hiring a Nurse Researcher. It was discussed by the Board as to whether to pay for this position or ask the Legislature for General Fund monies. This position would be for workforce data collection and analysis.

Motion: *It was moved and seconded, July 14, 2005, to (1) pursue obtaining an AD01 who could assist with licensure, legal follow up, etc. (2) pursue obtaining a Nurse Researcher for workforce data collection & analysis to be funded by general fund for five (5) years with review by the fifth (5th) year.*

The vote on the above motion was 6-0-0-0.

STRATEGIC PLANNING

Ms. Koski reported the intent of the Strategic Plan and explained that it is what drives the budget. Ms. Koski, President Ouzts and Dr. Calkins attended Strategic Plan Statewide Training and Dr. Calkins attended Train the Trainer.

Dr. Calkins reported on the Wyoming Strategic Planning Design and will revise per discussion with the Board.

SCOPE OF PRACTICE

Dr. Calkins went over the Practice Committee recommendations and the following motions were made:

Request Regarding Training of Non-Licensed Personnel in Family Planning Clinics – Carol Peterson dated April 18, 2005

Motion: It was moved and seconded, July 14, 2005, to accept the Practice Committee's recommendation that it is not within the scope of practice of the RN, LPN or APRN to train unlicensed personnel to dispense medications.

The vote on the above motion was 6-0-0-0.

Administration of Rhogam by LPN's

Motion: It was moved and seconded, July 14, 2005, to accept the Practice Committee's recommendation that it is not within the scope of practice of the LPN to administer blood or blood products regardless of route, this includes Rhogam.

The vote on the above motion was 4-1-1-0. Member Merrill abstained from voting.

Clarification of Accepting Telephone Physician Orders

Motion: It was moved and seconded, July 14, 2005, to accept the Practice Committee's recommendation to rescind Advisory Opinion 88-4 Relaying Physician Orders-LPN and Advisory Opinion 04-140 Accepting Physician orders-RNs & LPNs.

The vote on the above motion was 6-0-0-0.

Clarification of Accepting Telephone Physician Orders

Motion: It was moved and seconded, July 14, 2005, to accept the Practice Committee's recommendation that it is acceptable practice for a RN or LPN to accept an order from a physician, physician assistant, or advanced practice registered nurse that is relayed by the licensed RN or LPN.

The physician, Physician assistant, or advanced practice registered nurse would need to sign the telephone order within the appropriate time period according to institutional policy.

In addition, the Board recommended that RNs and LPNs check with their respective health care institutions regarding policies on phone orders. Policies may vary between health care institutions in the state.

The vote on the above motion was 5-1-0-0.

Role of CNA in Assistance with Self-Administration of Medications

Motion: It was moved and seconded, July 14, 2005, to accept the Practice Committee's recommendation of the following criteria for assistance with the self-administration of medication:

- The client must be cognitively aware.
- The assistance that may be provided:
 - Reminding the client to take medications;
 - Removing medication container from storage;
 - Assisting with removal of a cap;
 - Assisting with the removal of a medication from a container for clients with a disability (e.g., arthritis) which prevents independence in this act; and
 - Observing the client take the medication
- Prescription medications shall be dispensed from a licensed pharmacy, labeled with the following:
 - Names, address and phone number of the pharmacy

- Name of client
- Name and strength of drug
- Directions for use
- Date filled
- Expiration date
- Prescription number
- Name of physician
- Controlled substances shall have a warning label on the bottle
- The RN maintains accountability and responsibility for supervision and management of all medication administration.

The vote on the above motion was 6-0-0-0.

LPN and NG tubes placement and Tube Feedings

Motion: It was moved and seconded, July 14, 2005, to accept the Practice Committee's recommendation that it is within the scope of the LPN to insert a nasogastric tube and perform tube feedings using established feeding tubes, provided the following criteria are met:

- The LPN must have documentation of satisfactory completion of an appropriate educational program to perform these procedures.
- The LPN must have documented satisfactory continued competency in these procedures.
- A RN must be available.
- Follow institutional policies and procedures.

The vote on the above motion was 6-0-0-0.

APRN's Performing DOT Driver Medical Evaluation Forms:

Per the request from Dr. Calkins, response from the Department of Transportation states effective July 1, 2005, Driver Services will accept the signature of the Advance Practice Registered Nurse who performs the evaluation for the medical condition described on the form.

The Board reviewed various letters included from Dr. Calkins regarding Scope of Practice.

DISCIPLINE

Disciplinary Statistics:

Ms Marquis informed the Board that as of June 30, 2005, there were fourteen (14) cases awaiting review by the Attorney General's Office and two files awaiting review by the Application Review Committee. There are no files currently before the Disciplinary Committee. She averages approximately 120 complaints per year. Several complaints are from the previous year due to workload and timing of filing of complaints.

Hearings:

Docket #04-123 – Lucian Scott, NA Applicant: The Board reviewed the Order Vacating and Resetting Hearing Date. The hearing has been reset for 11:00 a.m. on October 11, 2005.

Docket #04-128 – Pamela Pendergraft, NA Applicant: The Board heard the testimony and reviewed the evidence presented during an administrative hearing. Quorum voted for denial.

Docket #05-058 – Jackie Daywitt, CNA #14060: The Board heard the testimony and reviewed the evidence presented during an administrative hearing.

Motion: *It was moved and seconded, July 13, 2005, to issue a Letter of Reprimand.*

The vote on the above was 4-0-2-0. President Ouzts and Member Williamson abstained from voting.

Docket #04-056 – Janet Jones, RN #16222: The Board heard the testimony and reviewed the evidence presented during an administrative hearing.

Motion: *It was moved and seconded, July 13, 2005, to dismiss the complaint as the Board did not find clear and convincing evidence of a violation of the Nurse Practice Act and Administrative Rules and Regulations.*

The vote on the above motion was 4-0-2-0. President Ouzts and Member Williamson abstained from voting.

Application Review Committee (ARC) Decisions of Record:

Motion: *It was moved and seconded, July 12, 2005, to reaffirm the Application Review Committee's recommendation for stipulation of Letters of Reprimand to Case #04-133 - Anne Warden, LPN.*

The vote on the above motion was 3-0-2-1. Secretary Harris and Member Davis abstained from voting.

Motion: *It was moved and seconded, July 12, 2005, to reaffirm the Application Review Committee's recommendation for stipulation of Letters of Reprimand to Case #05-029 - Christy Barker, NA.*

The vote on the above motion was 3-0-2-1. Secretary Harris and Member Davis abstained from voting.

Motion: *It was moved and seconded, July 12, 2005, to reaffirm the Disciplinary Committee's recommendation for stipulation for Conditional Licensure to Case #04-021 - Shari Long, RN.*

The vote on the above motion was 3-0-2-1. President Ouzts and Member Williamson abstained from voting.

Motion: *It was moved and seconded, July 12, 2005, to reaffirm the Disciplinary Committee's recommendation for stipulation for Voluntary Surrender of Licensure for Case #04-079 - Julie LaFairve, RN.*

The vote on the above motion was 3-0-2-1. President Ouzts and Member Williamson abstained from voting.

Motion: *It was moved and seconded, July 12, 2005, to reaffirm the Disciplinary Committee's recommendation for stipulation for Letter of Reprimand to Case #03-033 - Tamara DeJongh, RN.*

The vote on the above motion was 3-0-2-1. President Ouzts and Member Williamson abstained from voting.

Motion: *It was moved and seconded, July 12, 2005, to reaffirm the Disciplinary Committee's recommendation for stipulation for Conditional Licensure to Case #03-079 - Katheyn Rogers, RN.*

The vote on the above motion was 3-0-2-1. President Ouzts and Member Williamson

abstained from voting.

Motion: It was moved and seconded, July 12, 2005, to reaffirm the Disciplinary Committee's recommendation for Reinstatement of full Licensure to Case #00-107 - Tina McNeel, LPN.

The vote on the above motion was 3-0-2-1. President Ouzts and Member Williamson abstained from voting.

EXECUTIVE SESSION

Motion: It was moved and seconded, July 12, 2005, to enter into Executive Session from 10:20-10:35 a.m., to receive privileged communication from the Board Attorney.

The vote on the above motion was 6-0-0-0.

Motion: It was moved and seconded, July 12, 2005, to enter into Executive Session from 1:45-2:00 p.m., to conduct discussion on a disciplinary issue.

The vote on the above motion was 6-0-0-0.

Motion: It was moved and seconded, July 13, 2005, to enter into Executive Session to discuss disciplinary issues.

The vote on the above motion was 4-0-2-0. President Ouzts and Member Williamson abstained from voting.

Motion: It was moved and seconded, July 13, 2005, to enter into Executive Session for discussion of a case.

The vote on the above motion was 5-0-0-1. President Ouzts was absent.

Motion: It was moved and seconded, July 13, 2005, to enter into Executive Session to discuss personnel issues.

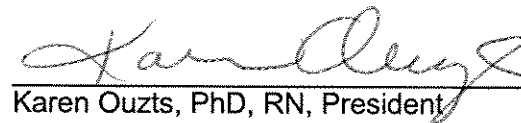
The vote on the above motion was 6-0-0-0.

ADJOURNMENT: Having no further business to come before the Board, the meeting was adjourned by President Ouzts at 2:45 p.m. on July 15, 2005.

Submitted by:



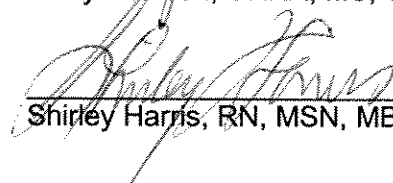
John Reid, Executive Assistant, Recorder



Karen Ouzts, PhD, RN, President



Parry Davison, CRNA, MS, Vice President



Shirley Harris, RN, MSN, MBA, Secretary